

HOUSE BILL No. 1006

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-11-2; IC 13-21-14-1.

Synopsis: County council approval of recycling. Permits the imposition of a fee by a solid waste management district for curbside recycling in an unincorporated area only if the fee is approved by the legislative body of the county.

Effective: July 1, 2002.

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January 8, 2002, read first time and referred to Committee on Rules and Legislative Procedures.

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Introduced

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1006

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-11-2-20 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 20. "Business", for
3 purposes of **IC 13-11-2 and IC 13-27**, means a person that carries on
4 a business or commercial operation in Indiana.

5 SECTION 2. IC 13-11-2-48.5 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2002]: **Sec. 48.5. "Curbside recycling", for**
8 **purposes of IC 13-21-14, means recycling carried out by collection**
9 **at:**

- 10 (1) **residences;**
11 (2) **business sites; and**
12 (3) **other sites where materials subject to recycling are**
13 **located.**

14 SECTION 3. IC 13-21-14-1 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) **Except as**
16 **provided in subsection (c), a board:**

- 17 (1) **may; and**

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1 (2) if necessary to pay principal or interest on any bonds issued
2 under this article or IC 13-9.5-9 (repealed), shall;
3 establish solid waste management fees in addition to fees imposed
4 under IC 13-21-13 or IC 13-9.5-7 (before its repeal) that apply to all
5 persons owning real property or generating solid waste within the
6 district who are benefited by solid waste management, solid waste
7 collection, a facility for solid waste disposal, or a facility for solid
8 waste processing.

9 (b) **Except as provided in subsection (c),** the board may change
10 and readjust fees as necessary.

11 (c) **With respect to waste management services that consist of**
12 **curbside recycling, a district may:**

13 (1) **impose a fee after June 30, 2002; or**

14 (2) **continue to impose a fee imposed before July 1, 2002;**
15 **for performance of the activities described in IC 13-21-3-14.5(b) in**
16 **an unincorporated area only if the legislative body (as defined in**
17 **IC 36-1-2-9) of the county in which the unincorporated area is**
18 **located approves the imposition of the fee by adoption of an**
19 **ordinance or resolution.**

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